

Appln. No. 10/715,803
Docket No. GP-303124/GM2-0075

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REMARKS / ARGUMENTS

Status of Claims

Claims 1-4, 7-12, and 23-28 are pending in the application. Claim 23 stands rejected. Claims 1-4, 7-12 and 24-28 are allowed. Applicant has amended Claim 23, leaving Claims 1-4, 7-12, and 23-28 for consideration upon entry of the present Amendment.

Applicant respectfully submits that the rejections under 35 U.S.C. §112, second paragraph, have been overcome, that no new matter has been entered, and that the application is in condition for allowance.

These amendments and accompanying remarks were not presented earlier because Applicant did not fully appreciate the nature of the Examiner's position until the Applicant was advised in more detail of the position by the final rejection, which introduced new remarks for rejection. The claim amendments presented herein, which Applicant respectfully requests entry thereof, should require only a cursory review by the Examiner as they include only elements presented in earlier examined and allowed claims.

Accordingly, such amendments should not require further consideration or search.

Rejections Under 35 U.S.C. §112, Second Paragraph

Claim 23 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant overcomes this rejection for the following reasons.

The Examiner comments that the limitations directed to slideable elements "appear to be repetitive". The Examiner further comments that recitation of "a first axial direction", "a second opposite axial direction", and "an axial load" (three instances), is unclear.

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Applicant respectfully points out that Claim 23 is distinguishable (not repetitive) over Claim 1 in that Claim 23 further defines a resistance to movement, and then claims certain elements that are slideable in response to the axial load sufficient to overcome the defined resistance to movement. Such a resistance to movement, and an overcoming of the resistance to movement, is not a limitation in Claim 1, and therefore establishes a further limitation with respect to Claim 1. As such, Applicant submits that Claim 23 does particularly point out and distinctly claim the subject matter regarded as the invention that is different from that of Claim 1, and therefore is not repetitive.

In addition, Applicant has amended Claim 23 with regard to the axial loads such that the axial loads of Claim 23 relate to the axial loads having antecedent support in Claim 1.

In view of the foregoing, Applicant respectfully submits that the claimed subject matter is described in such a manner that reasonably conveys to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection, which Applicant considers to be overcome.

Applicant has amended the claims for presentation in a better form for appeal that more clearly reflects Applicant's invention. The claim amendments should only require a cursory review by the Examiner as they include language presented in earlier allowed claims.

In light of the foregoing remarks and amendments, Applicant respectfully submits that the proposed amendments and arguments comply with 37 C.F.R. §1.116 and should therefore be entered, and with their entry that the Examiner's rejections under 35 U.S.C. §112, second paragraph, have been overcome, and that the application is now in condition for allowance. Such action is therefore respectfully requested.

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If a communication with Applicant's Attorneys would assist in advancing this case to allowance, the Examiner is cordially invited to contact the undersigned so that any such issues may be promptly resolved.

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 06-1130.

In the event that an extension of time is required, or may be required in addition to that requested in a petition for extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-identified Deposit Account.

Respectfully submitted,

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